



## एन0पी0वी0देयता से छूट का प्रमाण पत्र

प्रमाणित किया जाता है कि मा0 उच्चतम न्यायालय द्वारा दिनांक 28 मार्च 2008 को जारी आदेशानुसार वन क्षेत्र के अन्तर्गत वनों के संरक्षण एवम् बचाव हेतु विभागीय/राजकीय उपक्रम द्वारा कराये जा रहे उपखनिज चुगान कार्य एन0पी0वी0 देयता से मुक्त रखा है, उक्त से सम्बन्धित आदेश की प्रति संलग्न है।

  
SHERSINGH  
uo

  
(ए० वें० यादव)  
प्रभागीय लौगिंग प्रबन्धक (खनन),  
उत्तराखण्ड वन विकास निगम  
देहरादून।

**CENTRAL EMPOWERED COMMITTEE**  
 CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA  
 IN WRIT PETITION (CIVIL) No. 202/95 & 171/96

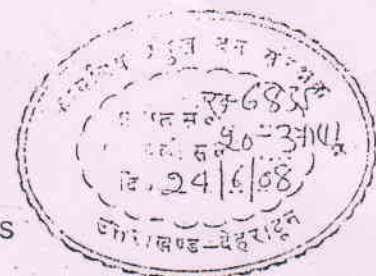
1st Floor, Chakya Bhawan, Chakrapuri, New Delhi 110021, Tel. 26884921, 26884923, 24101921, FAX No. 24101925

File No 1-19/CEC/SC/2006-PI

Dated 5<sup>th</sup> June, 2008

To

- (i) The Chief Secretary  
(All States / Union Territories)
- (ii) The Principal Chief Conservator of Forests  
(All States / Union Territories)



**Sub: Hon'ble Supreme Court's orders dated 28.3.2008 and order dated 9.5.2008 in IA No. 826 in 566 and related IA's regarding the rate of the Net Present Value (NPV) of forest land.**

Sir,

I am sending herewith copies of the Hon'ble Supreme Court's orders dated 28.3.2008 and 9.5.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995 regarding the rate of the NPV payable for the use of the forest land for non forestry purposes and related issues. It is requested that the Hon'ble Court's orders may please be brought to the notice of all concerned for strict compliance.

Yours faithfully,

(M.K. Jiwrajka)  
 Member Secretary

*[Handwritten signatures and notes in Hindi]*  
 R.N.सं-6835/20-37(CV) दि. 24/6/08

*[Handwritten text in Hindi:]* प्रतिलिपि निम्न लिखित को सूचनाार्थ एवं क्रमबद्ध हेतु तथा क्रमशः कर्तव्यस्थ कार्यविधियों को भी क्रमशः कराने हेतु-

1. उपर प्र.सं. 6835/20-37(CV) के अन्तर्गत
2. नै उक्त अधिकारी (सु.सं. 6835/20-37(CV)) को भी क्रमशः कराने हेतु
3. सु.सं. 6835/20-37(CV) के अन्तर्गत
4. सु.सं. 6835/20-37(CV) के अन्तर्गत

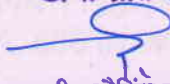
25/6/08

प्रति. प्रबंध निदेशक,  
उत्तराखण्ड वन विकास निगम,  
देहरादून को सूचनाएँ  
आवश्यक जानकारी  
प्रेषित।

25/6/08

प्रमुख वन संरक्षक,  
उत्तराखण्ड,  
25/6/2008.

आया प्रति प्रमाणित



प्रभागीय लौगिक प्रबन्धक (संजन)  
उत्तराखण्ड वन विकास निगम  
देहरादून



R-13-102

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IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. Nos. 826 IN 566 WITH 955 IN 566, 958, 985, 1001-1001A, 1013-14, 1016-1018, 1019, 1046, 1047, 1135-1136, 1164, 1180-1181, 1182-1183, 1196, 1208-1209, 1222-1223, 1224-1225, 1229, 1233 IN 1135-1136, 1248-1249, 1253, 1301-1302, 1303-1304, 1312, 1313, 1314, 1318, 1319 IN 1137, 1325, 1364, 1365-1366, 1370-1370A, 1371, 1384, 1385-1386, 1387, 1434, 1435-1437, 1438, 1441 WITH 1634, 1475-1476, 1513, 1573, 1639 IN 1135-1136 IN IA 566, 1664, 1665, 1671, 1676, 1707, 1721, 1779 IN 1164 IN 566, 1785-1786 IN I.A. NO. 1441, 1980-1981, 1993, 2013, 2074-2076, 2077-2078 IN 1441 & 2098 IN 1233 IN 1135-1136, 2145-2146, 2147-2148, 2149-2150 & 2153-2154 IN I.A. 566 IN W.P.(C) NO. 202/1995

T.N. Godavarman Thirumulpad

...Petitioners

Versus

Union of India & Ors.

...Respondents

O R D E R

On 28<sup>th</sup> March, 2008, we had passed an order regarding payment of Net Present Value (NPV) accepting the recommendations made by CEC which were more or less acceptable to MoEF. In that order we had also indicated that exemptions from payment of NPV have to be granted in respect of certain categories. However, it is brought to our notice that certain typographical mistakes had crept in that order as to categories to which such exemptions are to be granted. Therefore, we direct that as regards exemptions from

अथवा प्रति प्रमाणित

payment of NPV, the last part of that order reading "We are of the view..... (x) construction of the transmission lines" on pages 10 to 11 shall stand substituted with the following :-

Category	CEC
i) Schools ii) Hospitals iii) Children's play ground of non commercial nature iv) Community centres in rural areas v) Over-head tanks vi) Village tanks, vii) Laying of underground drinking water pipeline upto 4 diameter and viii) Electricity distribution line upto 22 KV in rural areas.	Full exemption upto 1 ha. of forest land provided : (a) no felling of trees is involved; (b) alternate forest land is not available; (c) the project is of non-commercial nature and is part of the Plan/Non-Plan Scheme of Government; and (d) the area is outside National Park/Sanctuary
Relocation of villages from the National Parks/Sanctuary to alternate forest land	Full Exemption
Collection of boulders/silts from the river belts in the forest area	Full exemption provided:- (a) area is outside National Park/Sanctuary; (b) no mining lease is approved/signed in respect of this area;



	<p>(c) the works including the sale of boulders/silt are carried out departmentally or through Government undertaking or through the Economic Development Committee or Joint Forest Management Committee;</p> <p>(d) the activity is necessary for conservation and protection of forests; and</p> <p>(e) the sale proceeds are used for protection/conservation of forests</p>
Laying of underground optical fibre cable	<p>Full exemption provided :</p> <p>(a) no felling of trees is involved; and</p> <p>(b) areas falls outside National Park/Sanctuary</p>
Pre-1980 regularisation of encroachments and conversion of forest villages into revenue villages	Full exemption provided these are strictly in accordance with MoEF's Guidelines dated 18.9.1990.
Underground mining	50% of the NPV of the entire area

अध्यापक प्रमाणित

प्रभागीय वीरिंग प्रबन्धक (खान) उत्तराखण्ड वन विभाग जिला हरद्वार

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The above recommendations for exemptions are accepted. If in any case, exemption is required by nature of the peculiar circumstances of the case, the same would be decided as and when necessary on a case to case basis.

.....CJI  
(K.G. BALAKRISHNAN)

.....  
(DR. ARIJIT PASAYAT)

.....  
(S.H. KAPADIA)

New Delhi;  
May 9, 2008.

छाया प्रति प्रमाणित  
प्रभागीय लैगिंग प्रबन्धक (खनन)  
उत्तराखण्ड वन विकास निगम  
देहरादून